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Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

New Caledonia

Working paper prepared by the Secretariat

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Note: The information contained in the present paper has been derived from public sources, including those of the territorial Government; and from information transmitted on 31 January 2012 to the Secretary-General by the administering Power under Article 73 *e* of the Charter of the United Nations. Further details are contained in previous working papers available from www.un.org/en/decolonization/workingpapers.shtml.

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The Territory at a glance

Territory: New Caledonia is a Non-Self-Governing Territory under the Charter. It is administered by France.

Representative of administering Power: Albert Dupuy, French High Commissioner (appointed 2010).

Geography: Located in the Pacific Ocean, about 1,500 km east of Australia and 1,700 km north of New Zealand. It comprises one large island, known as Grande Terre, and smaller islands known as the Loyalty Islands, the Bélep Archipelago, the Isle of Pines and the Huon Islands. There are also several uninhabited islands to the north of the Loyalty Islands.

Land area: 18,575 km² (the Territory as a whole); 16,750 km² (Grande Terre).

Exclusive economic zone: 1,422,543 km².[a]

Population: 244,580 (2012).

Ethnic composition: 40.3 per cent Melanesians, mainly Kanaks; 29.2 per cent persons of European origin, mainly French; 8.7 per cent Wallisians; 2 per cent Tahitians; 2.6 per cent Indonesians and Vietnamese; and 2.7 per cent populations classified by the French National Institute of Statistics and Economic Studies as "others".

Languages: French; and about 27 Kanak vernacular languages in geographically distinct regions.

Capital: Nouméa, located in the south of Grande Terre.

Head of territorial Government: Harold Martin (since June 2011).

Main political parties: The anti-independence parties are Rassemblement-Union pour un mouvement populaire; Calédonie ensemble; L'avenir ensemble; and Rassemblement pour la Calédonie. The pro-independence parties are Front de libération nationale kanak et socialiste (FLNKS); Parti travailliste; Union Calédonienne; and Union nationale pour l'indépendance-Front de libération nationale kanak et socialiste (UNI-FLNKS).

Elections: The most recent senatorial elections were held in September 2011; the next elections are due to be held in 2012 (French presidential and National Assembly).

Legislature: Territorial congress.

Gross domestic product (GDP) per capita: $37,124.

Unemployment rate: 6.5 per cent (2010 estimate).

Economy: Mining industry (notably nickel), construction and tourism.

Monetary unit: CFP franc

Brief history: In 1774, the British captain James Cook discovered Grande Terre and named it "New Caledonia". France annexed New Caledonia on 24 September 1853. In 1942, the United States of America chose New Caledonia for its military base in the Pacific. Some 20,000 New Zealand soldiers were stationed in New Caledonia during the Second World War. In 1946, France made New Caledonia an overseas Territory with limited autonomy. In the 1970s, supporters of independence were highly active, leading to violence during the 1980s known as the "événements" (events). In 1988, the Matignon Accords led to the establishment of three provinces with the aim of restoring the balance of power. Some 10 years later, in 1998, the Nouméa Accord planned for the progressive autonomy of the Territory. A referendum will be conducted between 2014 and 2019 to decide whether New Caledonia should assume full sovereignty and independence.

[a] Exclusive economic zone data from the "Sea Around Us" project, a collaboration between the University of British Columbia and the Pew Environment Group (www.seaaroundus.org).

I. Constitutional, political and legal issues

1. The Kanak independence movement was launched in the 1970s in response to the process of decolonization in Africa and increasing French migratory flows. The movement drew steady support from other Melanesian countries in the region and gradually gained momentum in the 1980s. In 1984, the Front de libération nationale kanak et socialiste (FLNKS) was founded as an umbrella organization for the pro-independence parties, and later that year established a provisional independent Government. Between 1984 and 1988, about 80 people died in violent confrontations between pro-independentists and loyalists. The violence was eventually halted with the conclusion of the Matignon Accords on 26 June 1988 between FLNKS, the loyalist Rassemblement pour la Calédonie dans la République (RPCR) and the Government of France.

2. The Matignon Accords provided for greater local autonomy and substantial aid designed to redress deep inequalities between the French and Kanak communities, while committing the Territory to a self-determination referendum 10 years later. In 1998, the three Matignon Accords partners agreed on a new statute defining the Territory's institutions and its relations with France. The agreement, termed the "Nouméa Accord", steered a middle course between the respective political aspirations of RPCR and FLNKS and avoided the need for a divisive referendum on independence. It was signed on 5 May 1998 and approved in a referendum held on 8 November 1998 by 72 per cent of New Caledonians. The Accord was subsequently ratified by the National Assembly and the Senate of France. New Caledonia is now defined as "a French overseas sui generis community" within the French Constitution and has enhanced autonomy.

3. On 18 August 2010, the Congress of New Caledonia approved three out of five identity symbols around which New Caledonia could unite — an anthem, a motto and banknote designs — but failed to agree on a flag and name. In line with the Nouméa Accord, the Kanak flag and the new anthem are now used alongside the French flag and national anthem.

4. The Nouméa Accord commits France to transfer responsibility over areas of government, except sovereign powers, to the Government of New Caledonia between 1998 and 2018. At some point between 2014 and 2018 a referendum is to be held on the basic issues: the transfer of sovereign powers; access to an international status of full responsibility; and the organization of citizenship by nationality. The exact date of the referendum will be determined by three fifths of the members of the Congress of New Caledonia. Should the outcome of the first referendum be negative, one third of the members of the Congress may call for the holding of two more referendums. If the response from all of them is negative, the parties to the Accord will meet to consider the situation thus created. The full text of the Nouméa Accord is contained in the 1998 working paper (A/AC.109/2114, annex).

5. The contentious issue of the proper interpretation of the Territory's electorate under the Nouméa Accord was resolved in 2007 and reflected in the French Constitution. As a result, only people who can prove 10 years of residence in New Caledonia at the time of the 1998 referendum on the Accord, or who have one parent meeting that requirement, can vote.

6. New Caledonia has a 54-member territorial Congress, comprising the combined elected membership of the three provincial assemblies (15 from the North Province, 32 from the South Province and 7 from the Loyalty Islands Province).

7. The Government of New Caledonia represents the executive power of New Caledonia and is headed by a president, who is elected by Congress and answerable to it. The Nouméa Accord stipulates that the Government, as a collegial body, must proportionally reflect party representation in Congress. The President is elected by a majority vote of all members of Government.

8. In accordance with the Nouméa Accord, a parallel set of institutions was established to accommodate full political recognition of the Kanak identity. There are eight customary councils representing eight customary regions. In addition, a Territory-wide customary senate with a rotating presidency comprises 16 members, 2 selected by each customary council. The customary senate and the councils are to be consulted by the executive and legislative bodies of New Caledonia on matters related directly to the Kanak identity. These bodies have no budget, however.

9. Political parties in New Caledonia are divided between those favouring New Caledonia remaining part of France and those favouring independence, with varying nuances between the two. Following the general election of May 2009, a significant political reshuffle took place in the Territory. The pro-independence parties increased their representation in Congress by five seats, although the anti-independence parties managed to retain the balance of power having agreed to work together through a "republican pact".

10. The election resulted in a Congress of 31 anti-independence and 23 pro-independence members. The anti-independence parties currently represented in Congress are Rassemblement-Union pour un mouvement populaire (Rassemblement-UMP), with 13 seats; Calédonie ensemble, with 10 seats; L'avenir ensemble, with 6 seats; and Rassemblement pour la Calédonie, with 2 seats.

11. The pro-independence parties of the legislature comprise the Union nationale pour l'indépendance-FLNKS (including the Parti de libération kanak), with 8 seats; the Union calédonienne, with 8 seats; FLNKS, with 3 seats; the Parti travailliste, with 3 seats; and Libération kanak socialiste, with 1 seat.

12. The 11-member Government drawn from Congress on a proportional basis following the 2009 elections comprised 7 members of the anti-independence Calédonie ensemble (Rassemblement-UMP) and L'avenir ensemble parties, and 4 members of the pro-independence Union calédonienne and the Parti de libération kanak, with Philippe Gomès (Calédonie ensemble) elected as President and Pierre Ngaiohni (Union calédonienne) as Vice-President of the Government.

13. In February 2011, the Union calédonienne pulled out of the territorial Government citing the latter's failure to fully implement the decision of New Caledonia to have a double flag, namely the national flag of France and that of FLNKS, as its emblem. Such withdrawal caused the Government to fall.

14. On 3 March 2011, Congress elected a new Government, headed by Harold Martin (L'avenir ensemble). This Government was brought down, however, by the resignation of members of Calédonie ensemble. The third and fourth Governments, elected on 17 March and 1 April 2011, respectively, were also brought down in the same way. A fifth Government was elected on 10 June. It is led by Harold Martin,

and comprises members drawn from the pro-France Rassemblement-UMP, L'avenir ensemble and Calédonie ensemble parties and the pro-independence FLNKS. In July 2011, following a meeting with the Prime Minister of France, François Fillon, and in accordance with the status of New Caledonia and the Nouméa Accord, the Organic Law of 19 March 1999 was amended to eliminate the mechanism that had led to the dissolution of successive Governments because of the resignation of Government members. The amendment gives any new Government an 18-month grace period during which the withdrawal of single party members from the 11-seat ministerial cabinet does not automatically trigger the collapse of the Government. It also allows groups resigning from the Government and thus deprived of representation to file at any time a new list and restore their presence in the Government. Provided that this option is not exercised, the Government is deemed complete. Roch Wamytan was elected President of Congress on 1 April 2011, the first pro-independence leader to hold the position. Although his election was annulled by the French Supreme Court in July 2011, he was re-elected in August.

15. New Caledonians also vote in the French presidential elections and elect two members of the French Senate and two members of the French National Assembly. In September 2011, the Senate renewed half of its members, with New Caledonia electing two senators, both from the Union pour un mouvement populaire.

16. The administering Power is represented in the Territory by a High Commissioner. The position is currently held by Albert Dupuy. Under the Organic Law of 19 March 1999 concerning New Caledonia, France has powers over areas prescribed by law, including external relations, immigration and aliens, currency, the Treasury, trade, defence, justice, the civil service and maintenance of law and order. In the area of defence, the High Commissioner performs functions prescribed by the relevant legislation. The High Commissioner may declare a state of emergency as provided for under the relevant legislation; he or she shall refer the matter to the Minister for Overseas Territories after informing the Government of New Caledonia. Under the territorial defence structure, the Office of the High Commissioner in the Territory is the seat of the defence sector of New Caledonia. According to media reports, about 3,000 French military personnel, including the gendarmerie, are stationed in the Territory. Political responsibility for New Caledonia lies with the French Minister of the Interior, Overseas Territories, Subnational Government and Immigration, Claude Guéant, and the Deputy Minister for Overseas Territories, Marie-Luce Penchard.

17. The Territory's legal system is based on the French model, augmented by mandatory consultation with the consultative customary council. Magistrates preside over the decentralized lower courts. The Court of Appeal is located in Nouméa, and there is access to the Court of Cassation in France in certain matters.

II. Budget

18. On 16 November 2011, the Government adopted a budget for the fiscal year 2012 amounting to 188 billion CFP francs. This represents an 11 per cent increase compared to the previous budget, in part as a result of a 7.58 per cent increase in expected tax revenue. According to the administering Power, the budget includes the implementation of important projects such as supporting the transfer of competences as stipulated in the Nouméa Accord, modernizing the Territory's economy,

contributing to modern and sustainable management of the Territory and supporting the economy through investment.

III. Economic conditions

A. General

19. New Caledonia has one of the largest economies of the Pacific islands, with a gross domestic product (GDP) per capita estimated at $37,124 in 2009, higher than that of New Zealand, according to the United Nations Statistics Division. This is largely attributed to the preponderance of nickel exploitation and industry in the island's economy. Nickel production accounts for 95 per cent of total export earnings. Significant disparities are present in income distribution, however, as the South Province accounts for about 85 per cent of household income, the North Province 11.1 per cent and the Loyalty Islands Province 3.9 per cent. The economy is also highly dependent on payments from the French Government. Approximately 80 per cent of those payments are spent on health, education and civil service salaries, with most of the remainder allocated for development schemes, mainly in the North and Loyalty Islands provinces. The Territory runs a significant trade deficit caused by the increased value of imports.

B. Mineral resources

20. New Caledonia is the world's third largest producer of nickel after the Russian Federation and Canada, with an estimated one quarter of the world's nickel reserves. Chrome and cobalt are also mined commercially, and deposits of iron, copper and gold have been found. New Caledonia is unique in being a South Pacific economy predominantly based on mining. Sophisticated domestic industries and services support the mining sector, thereby providing some employment opportunities.

C. Construction and manufacturing

21. The construction sector, which accounts for roughly 12 per cent of GDP, employs about 9 per cent of the salaried population. Construction projects in the mining industry continue to provide a platform for growth. There is still a need for approximately 1,000 new houses per year throughout the Territory. In July 2010, the Congress of New Caledonia adopted a bill establishing a zero-interest loan facility to enable home ownership for families with monthly incomes of between $3,100 and $6,200. The facility was launched in February 2011 following the signing of agreements between the Government and four banking institutions and the development of software to be used by the various actors in managing the loans.

22. The manufacturing sector, which is largely focused on the processing of foodstuffs, textiles and plastics, accounts for approximately 13 per cent of GDP.

D. Agriculture and fishing

23. Agriculture officially employs 5 per cent of the population and represents 2 per cent of GDP, although it forms the basis of much of the indigenous population's subsistence economy. The raising of beef cattle on the west coast (mostly by European descendants), pig farming and the export of venison to Europe are the most important cash-producing agricultural activities. Tuna fishing and shrimp farming also contribute to export earnings. Agricultural production in most areas is heavily subsidized and prices are controlled. Agricultural output is hampered by labour diversion to the more lucrative mining industry and climatic factors. As a result, there is a heavy reliance on imports to meet demand.

E. Transport and communications

24. While the Territory has no railways, there is a good road system in and around Nouméa. The road infrastructure in the rest of the Territory is more basic, but continues to improve. New Caledonia has around 5,000 km of roads, of which about one half are sealed. Overseas shipping is predominantly through Nouméa. There are passenger and cargo services and a harbour for yachts and other leisure watercraft. The Territory relies heavily on air transport for both international and internal movement of passengers and freight. Frequent international services link Nouméa's airport, La Tontouta, with neighbouring countries and with Japan, the United States of America and Europe. There are regular services from the domestic airport, Magenta, to the outer islands and major towns on the main island. According to the administering Power, the second phase of the airport renovations (at a cost of 80 million euros) will end in 2012.

25. Postal services and telecommunications are run by the State company Office des Postes et Télécommunications. A submarine cable network connection between the Territory and Australia, brought into service in 2008, has significantly increased the Territory's network capacity. Internet facilities and usage have grown rapidly in recent years but, as in other areas, statistics are lacking. Mobile telephone subscriptions are on the rise, but coverage continues to stand at less than 50 per cent of the Territory, and is largely concentrated in the coastal areas.

F. Tourism and environment

26. While the Government of New Caledonia has been actively promoting the tourism sector as a means of future economic diversification and employment, the global economic slump, combined with strong competition from other Pacific tourist destinations, has kept the industry depressed. Tourism accounts for approximately 3 per cent of GDP. According to data published in July 2011 by the Institut d'émission d'Outre-Mer, a French public institution, tourist arrivals in New Caledonia — excluding cruise ship passengers — represent just 1 per cent of all tourists arriving in Oceania. In 2010, this sector directly or indirectly employed over 5,000 workers. The economic stagnation notwithstanding, the sector is developing, due largely to local customers. Cruise ship passengers are 2.5 times more numerous than in 2005 (over 200,000 visited New Caledonia in 2010).

27. New Caledonia has an extremely rich biodiversity and possesses the second largest coral reef in the world after Australia. Its lagoon has been declared a United Nations Educational, Scientific and Cultural Organization (UNESCO) World Heritage site. A report released by Conservation International in February 2011 expressed concern over the negative impact of nickel mining and deforestation on the unique flora and fauna of New Caledonia. The Territory is ranked second among the world's 10 most threatened forest hotspots. Only 5 per cent of the original forest landscape remains intact.

28. In April 2009, an acid spill at the Vale Nouvelle-Calédonie nickel plant led to the leakage of around 2,500 litres of sulphuric acid from the plant during testing. Thousands of fish in Prony Bay, a UNESCO World Heritage site, were killed. Another spill at the plant in April 2010 was reportedly brought under control. The following month, Vale Nouvelle-Calédonie announced that technical problems had forced another delay to the opening of the plant, originally due to begin operations in mid-2009. According to the administering Power, the company should begin operations in 2012.

29. Deforestation has threatened many endemic species, including various plants and birds. The kagu (*Rhynochetos jubatus*), is the only surviving member of the bird family Rhynochetidae, and probably the most well known of the Territory's native birds. The islands are also home to one of the world's largest geckos, the New Caledonian giant gecko (*Rhacodactylus leachianus*).

30. In July 2010, the European Investment Bank announced that it would provide a $12.7 million credit line to enable banks in New Caledonia to finance projects in the sectors of renewable energy, environment and waste treatment. The Bank aims at developing the long-term lending operations of local banks by providing financing, and at promoting local green-energy initiatives and the protection of local ecosystems. A solar-power facility in Helios Bay, opened in May 2010, is expected to produce sufficient electricity for about 1,000 homes.

31. In November 2011, during the Second Annual Partners Meeting for the Supporting Disaster Risk Reduction in the Pacific Project for the Overseas Countries and Territories, the Director of the Applied Geoscience and Technology Division of the Secretariat of the Pacific Community described a new strategic plan 2011-2015 to support directly, among others, two Pacific Non-Self-Governing Territories, New Caledonia and Pitcairn. In the case of New Caledonia, the aim is to reduce public health risks resulting from contaminated drinking water, inadequate sanitation and drought by enhancing the safety of drinking water and bridging the sanitation gap that puts the Territory's population and lagoon at risk.

IV. Social conditions

A. General

32. United Nations Development Programme data for New Caledonia show that the Territory has a high human development index. Life expectancy at birth is 76 years, the adult literacy rate is over 96 per cent and school enrolment (all levels) is about 89 per cent. Nevertheless, according to the National Institute of Statistics and Economic Studies, the Territory suffers from some inequality and imbalances. These

imbalances are demographic in nature, as 71 per cent of the population is concentrated in the Southern Province. Including the suburbs of Nouméa, the Greater Nouméa metropolitan area is home to 63 per cent of the population. The population density in the South Province is 23.4 inhabitants per km^2 (999.7 inhabitants per km^2 in Nouméa), compared to only 4.6 inhabitants per km^2 in the Northern Province and 11.1 inhabitants per km^2 in the Loyalty Islands Province.

33. These imbalances are also social, as shown by the fact that 66 per cent of the population aged 14 years and over living in the Northern and Loyalty Islands provinces has no qualifications, compared to 35 per cent in the Southern Province. Lastly, there are economic imbalances. As described in paragraph 19 above, household income varies significantly by province. The Gini coefficient, which measures income inequality, is 0.5.

34. In his report on the situation of Kanak people in New Caledonia (see A/HRC/18/35/Add.6), which was submitted to the Human Rights Council at its eighteenth session, in September 2011, the Special Rapporteur on the rights of indigenous peoples recognizes the significant steps taken to acknowledge and advance the rights of the Kanak people and points to the broad support for the Nouméa Accord among both Kanaks and non-Kanaks living in the Territory. At the same time, he notes that, overall, Kanaks suffer poor social and economic conditions, especially in relation to other demographic groups. He therefore identified the collection of ethnically disaggregated statistical data on socio-economic indicators as an important tool to better guide policies and programmes, and suggested that efforts should be made to address the problem of high rates of incarceration among Kanak people, particularly youth.

35. In 2011, the Pacific office of the United Nations Children's Fund and the Secretariat of the Pacific Community published a report entitled "*The State of Pacific Youth 2011: Opportunities and Obstacles*", in which they highlight important facts in relation to problems faced by youth in New Caledonia, such as the high number of teenage pregnancies, alcohol abuse and elevated school dropout rates. They point out that the rate of school failure of Kanak and Pacific Islander children is a serious obstacle to their finding employment, a factor leading to delinquency.

36. In 2008, the French Senate passed a law aimed at reforming indexed retirement pensions for French overseas territories (pensions in New Caledonia are 75 per cent higher than in France). As a result, since 2009, indexation levels on pensions are being progressively reduced until 2028.

B. Employment

37. In the second quarter of 2011, the number of New Caledonians seeking employment fell to 6,834, an improvement compared with the figure of 7,002 at the end of 2010. Regional disparities are also clearly evident in the labour market, with the number of unemployed particularly high in the North Province. The opening in 2012 of two nickel-processing plants in Koné, North Province, is expected initially to generate 8,000 jobs, many of them for the local population. The Government of New Caledonia has indicated that it has no statistics confirming high levels of unemployment among Kanaks.

38. Kanak representatives continue to express concern over the influx of labour immigration to New Caledonia. The Government of New Caledonia has acknowledged this fact, while specifying that the immigration included highly qualified labour and technicians and managers not available in the domestic labour force. Furthermore, while the duration of stay for the first category was limited to 18 months, for the second it was limited to four years. According to the Government of New Caledonia, three quarters of the guest labour force of the nickel plant in the South Province has already left the Territory. The Government plans to provide vocational training for New Caledonians with the aim of allowing them to occupy 95 per cent of jobs created in the metallurgic industry in the future.

C. Education

39. According to media reports, the 2009 census figures pointed to significant disparities in wealth between the north and the south of the Territory, and between Kanaks and Europeans. Some positive developments were reported in the education field, however, with an unprecedented number of pupils completing school. The Territory's education system remains closely modelled after the French system, and the primary language of instruction at all levels is French. Education is free and compulsory for children between the ages of 6 and 16. Primary education lasts for five years. Secondary education is divided into two cycles, the first of which is a four-year programme that begins at age 11. The additional three-year programme, commonly known as upper secondary, is optional; however, successful completion is required for students who wish to pursue higher education. New Caledonia operates an institution of higher education, the University of New Caledonia. Many students pursuing university degrees study overseas, including in France.

40. The Organic Law of 19 March 1999 transferred control of public primary education to the New Caledonian authorities, giving them the right to adapt the curriculum to local cultural and linguistic backgrounds, including instruction in the Kanak languages. Five agreements were signed in October 2011 between the administering Power and the Government of New Caledonia to organize the transfer of secondary education to the Territory, with the transfer officially taking place on 1 January 2012.

41. According to the information provided by the customary senate in May 2010, the lack of schooling success among Kanak children is obvious in the current school system. Despite the provisions in this respect in the Matignon and Nouméa Accords, in addition to efforts to change the situation for the better, there remains a significant gap in the level of education between young Kanaks and their European counterparts. This leads to a higher level of unemployment, instability and delinquency among indigenous youth. The customary senate is of the view that the teaching of Kanak languages and culture in primary school, which is part of the Nouméa Accord, is not always effective and, if implemented at the present pace, may have a fatal impact on the least-spoken Kanak languages. According to the senate, the dropout rate in the first year of the University of New Caledonia is 70 per cent, with 90 per cent of that figure representing Kanak students living in shanty towns in Nouméa. According to the administering Power, it is true that the dropout percentage in the general courses during the first year is 67 per cent. This figure includes those students who enrol in February but leave to continue their education elsewhere in September, as a result of differences in academic term dates

in the northern and southern hemispheres. When selective courses (scientific and technical degrees, professional bachelor's degrees and master's degrees) are taken into consideration, the dropout rate is much lower. According to the administering Power, because the University does not produce statistics based on ethnicity or location, it is not possible to ascertain the ethnicity of those students who drop out in the first year.

42. Several research institutes, based mainly in Nouméa, are concentrating on studies on biodiversity, environment, biology and geology, nickel, oceanography, history, anthropology, sociology and linguistics of the Kanak language.

D. Health care

43. In 2007, life expectancy at birth was 71.8 years for males and 80.3 years for females. As at 1 September 2008, there were 545 practising medical doctors, 1,091 nurses, 125 dentists, 106 midwives and 141 pharmacists in the Territory. According to the World Health Organization country health information profile, New Caledonia has a well-functioning mother and child health programme. Communicable diseases remain a public health problem and sexually transmitted infections are highly prevalent. Non-communicable diseases constitute a major burden, with cardiovascular diseases, diabetes mellitus and cancers the most common. In 2009, vaccination coverage was 98 per cent for tuberculosis (BCG), 100 per cent for diphtheria, pertussis and tetanus (DPT3), 100 per cent for polio (POL3), 99 per cent for measles (MCV1) and 98 per cent for hepatitis B III.

44. At the territorial level, there are three public hospitals (492 beds), three private clinics (178 beds) and four specialized hospitals (184 beds) in Nouméa. According to the administering Power, construction began in 2011 on a new hospital close to Nouméa, following approval by the Congress of New Caledonia of a $530 million project expected to take four years. At the provincial level, integrated public health-care services are provided through seven medical social centres, with 42 hospital beds, 19 medical centres, 14 infirmaries, 55 consultation facilities and 22 dental care stations.

V. Relations with international organizations and partners

45. The Organic Law of 19 March 1999 governs the legal framework within which New Caledonia may establish external relations.

46. New Caledonia has been an associate member of the Economic and Social Commission for Asia and the Pacific since 1992.

47. In 2006, New Caledonia became an associate member of the Pacific Islands Forum, having been an observer since 1999. At the forty-second Pacific Islands Forum Leaders' meeting, held in Auckland, New Zealand, in September 2011, the President of the Government of New Caledonia reiterated the Territory's desire to accede to full membership of the organization. An evaluation visit is due to be conducted by the Forum's Ministerial Committee during the first semester of 2012. Another regional organization, the Melanesian Spearhead Group, gave observer status in 2007 to FLNKS, which represents the Kanak people.

48. In 2011, the Government of New Caledonia hosted the annual European Union-Overseas Countries and Territories Forum and the fourteenth Pacific Games.

49. New Caledonia is a member of the Pacific Community, the Pacific's oldest regional organization, whose secretariat is headquartered in Nouméa. Among other Pacific regional arrangements in which New Caledonia is involved are the South Pacific Regional Environment Programme, the Pacific Islands Development Programme, the Pacific Islands Association of Non-governmental Organizations, the South Pacific Tourism Organization, the Pacific Power Association, the Pacific Islands Applied Geoscience Commission and the Pacific Community Coastal Fisheries Programme.

50. New Caledonia has continued to strengthen its ties with the European Union, within which it holds the status of associated territory as conferred by the Treaty of Rome. New Caledonia receives development aid from the European Union in the framework of the tenth European Development Fund for the Overseas Countries and Territories, which covers the period 2008-2013.

51. In January 2012, the Minister for Cooperation, the Deputy Minister for Overseas Territories and the President of the Government of New Caledonia signed a convention related to the hosting of New Caledonian delegates in the French diplomatic and consular missions in the Pacific. This convention is part of the implementation of the Nouméa Accord and the Organic Law of 19 March 1999 regarding the possibility of New Caledonia having representation in countries of the Pacific region.

VI. Future status of the Territory

A. Position of the Government of New Caledonia

52. Developments regarding discussions on the future status of New Caledonia are reflected in sections I and VII.B of the present working paper.

B. Position of the administering Power

53. The President of France, Nicolas Sarkozy, visited New Caledonia in August 2011, his first official visit to the Territory. He reaffirmed his willingness to follow the Nouméa Accord and pledged that France would work with the Territory in a spirit of impartiality, while stressing that he favoured New Caledonia remaining within France. He expressed his conviction that within the pro-independence camp there was an attachment to France and a shared history. He said that there was also disquiet over a potential parting of ways, which meant that there was a need for compromise. He also paid a visit to the customary senate to show his respect for and recognition of Kanak culture and identity.

VII. Consideration of the question by the United Nations

A. Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

54. At its 8th meeting, on 23 June 2011, the Special Committee adopted a draft resolution introduced by the representative of Fiji also on behalf of Papua New Guinea (see A/AC.109/2011/L.12). At the same meeting, a statement was made by the representative of FLNKS (see A/AC/109/2011/SR.8).

B. Special Political and Decolonization Committee (Fourth Committee)

55. At the 3rd meeting of the Fourth Committee, on 4 October 2011, the Vice-President of the Government of New Caledonia addressed the Committee, providing it with an update on the latest developments in the Territory. He said that, on the institutional side, powers were being transferred according to the timetable established by the Nouméa Accord: education would be transferred in January 2012, police and air control in January 2013. Before the end of 2011, Congress would determine the date for the transfer of the civil and commercial codes, civil registry and security sector. In line with the Nouméa Accord, the Kanak flag and the new anthem were being used simultaneously with the French symbols. Three working groups had been set up: (a) to assess the first 13 years of the Nouméa Accord; (b) to explore all avenues relevant to the future institutional balance; and (c) to develop a strategy for the development of the mining and metallurgical sectors. The economy was benefiting from a steady growth rate with low unemployment. New measures already approved to protect local employment would be implemented in 2012. On social issues, measures to improve social conditions, equity and social welfare would be implemented in 2012. In cooperation with the administering Power, the Government of New Caledonia would set up a network of diplomatic missions in neighbouring countries of the Pacific to enhance regional links. Responding to a question posed by the representative of Papua New Guinea, he stated that the Matignon Accords had recognized key components, including the need for New Caledonia to train its own personnel. The 400-cadre programme, now called "Cadres for the Future", would train professionals to be able to exercise all the competencies needed to take on the transfer of jurisdiction. Such endeavours were continuing what had already been deemed essential in 1988 when the Matignon Accords were signed, and confirmed in 1998 in Nouméa.

C. Action taken by the General Assembly

56. On 9 December 2011, the General Assembly adopted without a vote resolution 66/87, based on the report of the Special Committee transmitted to the Assembly (A/66/23) and its subsequent consideration by the Fourth Committee. In that resolution the General Assembly:

1. *Welcomes* the significant developments that have taken place in New Caledonia since the signing of the Nouméa Accord on 5 May 1998 by the representatives of New Caledonia and the Government of France;

2. *Urges* all the parties involved, in the interest of all the people of New Caledonia, to maintain, in the framework of the Nouméa Accord, their dialogue in a spirit of harmony, and in this context welcomes the unanimous agreement, reached in Paris on 8 December 2008, on the transfer of powers to New Caledonia in 2009 and the conduct of provincial elections in May 2009;

3. *Notes* the relevant provisions of the Nouméa Accord aimed at taking more broadly into account the Kanak identity in the political and social organization of New Caledonia, and welcomes, in this context, the adoption on 18 August 2010 by the Government of New Caledonia of the law on the anthem, the motto and banknote designs;

4. *Also notes* the ongoing difficulties regarding the question of the flag and the ensuing Cabinet crisis;

5. *Acknowledges* those provisions of the Nouméa Accord relating to control of immigration and protection of local employment, and notes that unemployment remains high among Kanaks and that recruitment of foreign mine workers continues;

6. *Notes* the concerns expressed by a group of indigenous people in New Caledonia regarding their underrepresentation in the Territory's governmental and social structures;

7. *Also notes* the concerns expressed by representatives of indigenous people regarding incessant migratory flows and the impact of mining on the environment;

8. *Takes note* of the relevant provisions of the Nouméa Accord to the effect that New Caledonia may become a member or associate member of certain international organizations, such as international organizations in the Pacific region, the United Nations, the United Nations Educational, Scientific and Cultural Organization and the International Labour Organization, according to their regulations;

9. *Notes* the agreement between the signatories to the Nouméa Accord that the progress made in the emancipation process shall be brought to the attention of the United Nations;

10. *Recalls* the fact that the administering Power invited to New Caledonia, at the time the new institutions were established, a mission of information which comprised representatives of countries of the Pacific region;

11. *Notes* the continuing strengthening of ties between New Caledonia and both the European Union and the European Development Fund in such areas as economic and trade cooperation, the environment, climate change and financial services;

12. *Calls upon* the administering Power to continue to transmit to the Secretary-General information as required under Article 73 *e* of the Charter of the United Nations;

13. *Invites* all the parties involved to continue promoting a framework for the peaceful progress of the Territory towards an act of self-determination in which all options are open and which would safeguard the rights of all sectors of the population, according to the letter and the spirit of the Nouméa Accord, which is based on the principle that it is for the populations of New Caledonia to choose how to control their destiny;

14. *Recalls with satisfaction* the efforts of the French authorities to resolve the question of voter registration by adopting, in the French Congress of Parliament, on 19 February 2007, amendments to the French Constitution allowing New Caledonia to restrict eligibility to vote in local polls to those voters registered on the 1998 electoral rolls when the Nouméa Accord was signed, thus ensuring strong representation of the Kanak population;

15. *Notes* the efforts of the French authorities to address the Cabinet crisis;

16. *Welcomes* all measures taken to strengthen and diversify the New Caledonian economy in all fields, and encourages further such measures in accordance with the spirit of the Matignon and Nouméa Accords;

17. *Also welcomes* the importance attached by the parties to the Matignon and Nouméa Accords to greater progress in housing, employment, training, education and health care in New Caledonia;

18. *Notes* the financial assistance rendered by the Government of France to the Territory in areas such as health, education, payment of public-service salaries and funding development schemes;

19. *Takes note* of the conclusions of the eighteenth Melanesian Spearhead Group Leaders Summit, held in Suva on 31 March 2011, including the recommendations for the annual monitoring and assessment of the Nouméa Accord;

20. *Acknowledges* the contribution of the Melanesian Cultural Centre to the protection of the indigenous Kanak culture of New Caledonia;

21. *Notes* the positive initiatives aimed at protecting the natural environment of New Caledonia, including the "Zonéco" operation designed to map and evaluate marine resources within the economic zone of New Caledonia;

22. *Welcomes* the cooperation among Australia, France and New Zealand in terms of surveillance of fishing zones, in accordance with the wishes expressed by France during the France-Oceania Summits in July 2003, June 2006 and July 2009;

23. *Acknowledges* the close links between New Caledonia and the peoples of the South Pacific and the positive actions being taken by the French and territorial authorities to facilitate the further development of those links, including the development of closer relations with the countries members of the Pacific Islands Forum and the easing of short-stay visa procedures for countries of the South Pacific;

24. *Recalls with satisfaction*, in this regard, the participation of New Caledonia at the forty-first summit of the Pacific Islands Forum, held in Port Vila on 4 and 5 August 2010, following its accession to the Forum as an associate member in October 2006, and welcomes the support of the Government of France for the application by New Caledonia for a full membership in the Pacific Islands Forum;

25. *Recalls* the continuing high-level visits to New Caledonia by delegations from countries of the Pacific region and high-level visits by delegations from New Caledonia to countries members of the Pacific Islands Forum;

26. *Welcomes* the cooperative attitude of other States and Territories in the region towards New Caledonia, its economic and political aspirations and its increasing participation in regional and international affairs;

27. *Also welcomes* the reactivation of dialogue on New Caledonia by the Ministerial Committee of the Pacific Islands Forum in 2010 and the request of Forum leaders to the Forum secretariat to explore ways to expand the role and engagement of New Caledonia in the Forum;

28. *Recalls* the successful conclusion of the Pacific regional seminar of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, held in Nouméa from 18 to 20 May 2010;

29. *Decides* to keep under continuous review the process unfolding in New Caledonia as a result of the signing of the Nouméa Accord;

30. *Requests* the Special Committee to continue the examination of the question of the Non-Self-Governing Territory of New Caledonia and to report thereon to the General Assembly at its sixty-seventh session.